

## REMARKS

Applicants respectfully request reconsideration of the present application in view of the reasons that follow. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 4-6, 8, 10, 12-13, 17, 18 and 20-22 are cancelled to simplify the remaining issues in the present application.<sup>1</sup> Claims 1-3, 7, 9, 11, 14-16, 19 and 39-40 are pending in this application. No claims have been amended or added.

Claims 1, 7-11, 14, 19-21 and 39-40 are rejected under § 103(a) as being unpatentable over Hsieh in view of Van Oort. This rejection is respectfully traversed.

Applicants respectfully submit that there is no motivation to combine Hsieh and Van Oort. Page 2 of the Office Action states that “[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to use the MRI as taught by van Oort since [Hsieh] discloses that the vibration isolation system is used to isolate a structure from the vibration of an MRI [abs].” However, the Office Action provides no reason or motivation why one of ordinary skill in the art would be motivated to substitute the non-clam-shell MRI system of Hsieh with a clam-shell system of Van Oort. Just because Van Oort teaches a clam-shell MRI system provides no motivation to substitute Hsieh’s system with Van Oort’s system.

In fact, Hsieh actually teaches away from using a clam-shell type superconductive MRI system, such as the one disclosed by Van Oort. Hsieh teaches in col. 8, lines 25-32 that if the permanent magnet system shown in the Figures of Hsieh is substituted with a superconductive magnet system, then the superconductive magnet system should be of the type disclosed in U.S. Patent 4,766,378 to Danby (which was cited in the present application in a previously considered IDS). However, Danby’s MRI system is actually a closed MRI

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<sup>1</sup> The cancellation of these claims should not be construed as acquiescence that the rejection of these claims was proper.

system. Thus, Hsieh actually teaches to substitute the permanent magnet system with a closed superconductive magnet system. Therefore, there is no motivation to substitute Hsieh's magnet system with Van Oort's open, clam-shell superconductive magnet system.

Claims 2-4, 12-13, 15-17 and 22 are rejected under § 103(a) as being unpatentable over Hsieh in view of Van Oort and further in view of Ohsaki. Claims 4, 12-13, 17 and 22 have been cancelled rendering the rejection of these claims moot. This rejection is respectfully traversed with respect to claims 2-3 and 15-16.

Ohsaki is directed to a photolithography exposure apparatus. Ohsaki provides no motivation for providing a vibration isolation system for a MRI system, such as the system of Hsieh or Van Oort. Thus, there is no motivation to combine Hsieh, Van Oort and Ohsaki. Applicants respectfully submit that this combination is based on an improper hindsight reconstruction gained solely from the applicants' disclosure. One of ordinary skill in the art would not be motivated to combine these unrelated references from different fields of endeavor without relying on the knowledge gained from the applicants' disclosure. See MPEP 2145(X)A. Therefore, the rejection is respectfully traversed.

Claims 5-6 and 18 are rejected under § 103(a) as being unpatentable over Hsieh in view of Van Oort and further in view of Braun. These claims have been cancelled rendering the rejection moot.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated,


otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

2/23/07

By



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